

ROSENBERG & GIGER

A PROFESSIONAL CORPORATION

250 Park Avenue
Twelfth Floor
New York, NY 10177

Tel: (646) 494-5000
Fax: (646) 595-0590

January 9, 2015

Via ECF

Honorable Paul A. Crotty
United States District Judge
Southern District of New York
500 Pearl Street, Room 735
New York, New York 10007

**Re: Ana Beatriz Lontra Jobim, et al. v. Songs of Universal, Inc.
SDNY 05-Civ-3527**

Dear Judge Crotty:

We are counsel to plaintiffs in the above-referenced action, the heirs of the late Brazilian musician and composer Antonio Carlos Jobim (the "Heirs"). I write further to Your Honor's Order dated December 31, 2014, dismissing the action without prejudice and inviting the parties to file a letter on ECF "in the event this matter should be reinstated" (Doc. # 105). For the reasons set forth herein, plaintiffs submit the present letter respectfully requesting reinstatement.

Following the Court's decision granting, in part, and denying, in part, plaintiffs' motion for summary judgment, the parties engaged in substantial settlement discussions in an attempt to resolve the action prior to the damages phase of this bifurcated proceeding. Those discussions have included a mediation in Los Angeles among the parties and an interested third party, as well as numerous communications among counsel. While progress has been made, the discussions have proved unsuccessful to date. I am scheduled to meet with a representative of Songs of Universal, Inc. this coming Monday, January 12, 2015, at which time I will attempt to revive the settlement discussions between the parties.

In light of the foregoing, plaintiffs respectfully request that the Court reinstate the action and issue an Order stating that, if the parties have not reported to the Court by January 30, 2015 that they have reached a settlement, the parties shall appear at a

Hon. Paul A. Crotty
January 9, 2015
Page 2

conference before the Court promptly thereafter to establish a schedule for fact and expert discovery concerning the damages phase of the litigation.

Thank you for your considered attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John J. Rosenberg', with a long, sweeping horizontal flourish extending to the right.

John J. Rosenberg

cc: Andrew H. Bart, Esq.
Matthew H. Giger, Esq.